



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

May 26, 2005

SUBJECT: **2005-0336 – Jeanne M. Pilling-Wilson** [Applicant/Owner]:
Application on a 10,010 square foot lot located at **912 & 914
E. Evelyn Avenue** (near S. Wolfe Rd.) in an R-2/PD (Low-
Medium Density Residential/Planned Development) Zoning
District. (APN: 213-03-008)

Action Parcel Map to subdivide one lot into two condominium lots
with one common lot.

REPORT IN BRIEF

**Existing Site
Conditions** Duplex

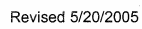
Surrounding Land Uses

North	General Industrial - Lumberyard
South	Single Family Home
East	Single Family Home
West	Duplex

Issues On-site amenities

**Environmental
Status** A Class 15 Categorical Exemption relieves this project
from California Environmental Quality Act provisions
and City Guidelines.

**Staff
Recommendation** Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Medium Density	Same	Residential Low Medium Density
Zoning District	R-2/PD	Same	R-2/PD
Lot Size (s.f.)	10,010	Same	8,000 min.
Lot Coverage (%)	32%	Same	40% max.
Floor Area Ratio (FAR)	32%	Same	45% max. without PC review
No. of Units	2	Same	2 max.
Unit Sizes (s.f.)	1,418 s.f.	Same	N/A
912 E. Evelyn Ave	1,800 s.f.		
914 E. Evelyn Ave.			
Building Height (ft.)	20'	Same	30' max.
No. of Stories	1	Same	2 max.
Setbacks (First/Second Facing Property)			
Front	25'	Same	20' min.
Left Side	13'	Same	12' min. combined (4' on one side)
Right Side	7'	Same	12' min. combined (4' on one side)
Rear	24'	Same	20' min. (10' with 25% encroachment)
Landscaping (sq. ft.)			
Total Landscaping	Approx. 4,760	Same	1,700 min.
Landscaping/Unit	Approx. 2,380	Same	850 min.
Usable Open Space/Unit	Approx. 1,840	Same	500 min.
Parking			
Total Spaces	4	Same	4 min.
Covered Spaces	2	Same	2 min.

ANALYSIS

Description of Proposed Project

The proposed project is for a Parcel Map to allow the conversion of a duplex to condominiums. No physical changes or new improvements are proposed with this application.

Background

Previous Actions on the Site: There are no previous planning actions related to this site.

Within the past five months a building permit was issued to allow repair of the structure (912 E. Evelyn) due to fire damage. The condition of the building has been improved and is in good condition. Staff also notes that a screen room located at the rear of one of the units (914 E. Evelyn) does not appear to be permitted according to City records. Staff has required C.O.A #1D, to require the owner to obtain the necessary permits.

Environmental Review

A Class 15 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 15 Categorical Exemption includes the division of property in urbanized areas zoned for residential use into four or fewer parcels and is in compliance with the General Plan and Zoning.

Parcel Map

Site Layout: The layout of the lot consists of a two unit residential building sharing a common wall located at the center of the property. Two driveways lead up to separate two-car garages for the units. Each unit would contain its own private back yard area. A pool is located behind one of the units.

Architecture: The architecture of the duplex structure is typical to structures along the street. The building maintains a stucco facade and composition roof material. No improvements to the architecture are proposed at this time. Interior modifications are required for the condominium conversion as specified by the Building Division and Conditions of Approval.

Landscaping: The site maintains the required landscaping for residential units located within the R-2 Zoning District. No trees are proposed to be removed with this application. Staff has noted that existing landscaping needs further maintenance and attention; therefore staff has included Condition of

Approval #4A to require further clean up weeds and overgrowth of vegetation on the site.

Parking/Circulation: The site provides a two car garage and two uncovered parking spaces for each of the units. No further improvement is necessary.

Compliance with Development Standards/Guidelines: The site complies with all development standards for the R-2 Zoning District. Staff has included Conditions of Approval that ensure that the proposed conversion complies with certain requirements within Sunnyvale Municipal Code section 19.70. The ordinance (S.M.C. 19.70.050) specifies that new ownership units provide specific improvements and amenities such as existing tenant protection, buyer protection, a minimum three hundred cubic feet of lockable storage(provided within garage), individual hookup for washing machines/dryers, undergrounded utilities, off-street parking, and fire prevention and building standards are met(including fire wall separation standards). The proposed subdivision will comply with all these requirements as specified by Condition of Approval 1E.

Expected Impact on the Surroundings: No visual impact is expected other than required landscape improvement for the site per the Conditions of Approval.

Parcel Map

Description of Parcel Map: The application is to allow the conversion of the duplex to a condominium use. No physical improvements are proposed in conjunction with this proposal. The units are provided access to and from Evelyn Avenue through separate driveways. A 10-foot public utility easement is provided along the frontage of the site.

Additional building permits are be required to ensure a 1-hour fire wall is constructed between each unit. Additional Conditions will ensure that each unit provides separate utility service. A separate "Maintenance Agreement" will specify shared usage and maintenance responsibilities of the site.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 45 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Conclusion

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Parcel Map. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

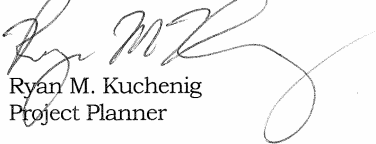
Alternatives

1. Approve the Parcel Map with attached conditions.
2. Approve the Parcel Map with modified conditions.
3. Do not approve the Parcel Map.

Recommendation

Recommend Alternative 1.

Prepared by:



Ryan M. Kuchenig
Project Planner

Reviewed by:



Diana O'Dell
Senior Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Floor Plans

Recommended Findings - Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Tentative Map.

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code

Staff was not able to make any of the findings, and recommends approval of the Tentative Map.

Recommended Conditions of Approval – Parcel Map

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Parcel Map shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- C. Obtain necessary Building Permits as required to achieve 1-hour fire wall between units prior to recordation of Parcel Map.
- D. Obtain necessary permits for screen room located behind 914 E. Evelyn prior to recordation of Parcel Map.
- E. Comply with all provisions necessary for conversion listed under Sunnyvale Municipal Code Section 19.70.050.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Development Permit from the Department of Public Works for all proposed off-site improvements.

3. CC&R's (CONDITIONS, COVENANTS AND RESTRICTIONS)

- A. Each unit should function independently in terms of utility service lines, unless otherwise provided in the Conditions, Covenants and Restrictions (CC&Rs)/maintenance agreement for shared usage and maintenance responsibilities. A copy of the recorded agreement shall be submitted to the Planning Division prior to the issuance of the Parcel Map.

4. LANDSCAPING

- A. Existing weeds and overgrowth shall be removed and existing landscaping shall be improved, maintained and kept in neat, clean, and healthful condition.

5. ON-SITE AMENITIES

- A. Individual hookups shall be provided in each unit to accommodate washing machines and dryers.

6. PARKING

- A. Garage spaces shall be maintained at all times so as to allow parking of two automobiles.

7. RIGHT-OF-WAY IMPROVEMENTS

- A. Obtain a Development Permit from the Department of Public Works for all public right-of-way improvements.

8. UNDERGROUND UTILITIES

- A. All proposed utilities shall be undergrounded.

9. PUBLIC WORKS

- A. Recordation of a Parcel Map shall be required.
- B. Any existing deficient public improvements shall be upgraded to current City standards, such as driveway approaches, upgrade existing water service from the main to the site, upgrade water meter to radio-read water meter.
- C. All existing utility lines and /or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City.
- D. Obtain an encroachment permit from the Public Works Department/Engineering for all improvement in the public right-of-way.
- E. The developer is responsible for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation caused by the development.
- F. Expect all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to any permit issuance.
- G. Contact utility companies for their review/approval requirements and/or procedures.

E. Evelyn Avenue

LOT 9

LOT 7

LEGEND AND NOTES

[illegible]

UNIT A:	1418 SQ.FT.
UNIT B:	1800 SQ.FT.
COMMON AREA:	8792 SQ.FT.
LOT SIZE:	10010 SQ.FT. (0.23 ACRE)

TENTATIVE MAPS
LOT 8 TRACT No. 4,355
BOOK 228 OF MAPS, AT PAGES 4 AND 5
OFFICE OF THE RECORDER SANTA CLARA COUNTY

Owner: JEANNE M. PELLING-WILSON
5121 OAK COURT

Prepared By: RAFAEL D. DIAZ

CIVIL -STRUCTURAL-LAND SURVEYING
CALIFORNIA LICENSE No. 30011
P.O. BOX 126
MADERA, CA 93637

(559) 674-9718 and (559) 681-0069

1. *Journal of the American Medical Association*, 2000; 283: 2689-2696.

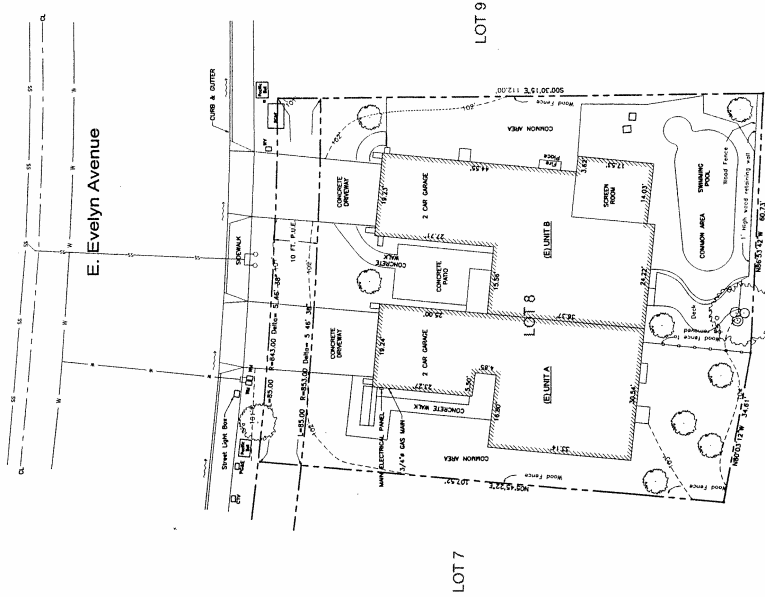
LEGEND AND NOTES

- OVERHEAD POWER LINES
- UNDERGROUND POWER LINES
- STORM SEWER LINES
- CONCRETE
- JOINT HOLES
- JOINT MANHOLES
- STREET SIGN
- GAS METER
- WATER METER
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SEWER MANHOLE
- SEWER CLEAN-OUT (HORIZONTAL)
- SEWER CLEAN-OUT (VERTICAL)
- WOOD POLE
- WOOD POST
- WOOD PILE
- WOOD PILING

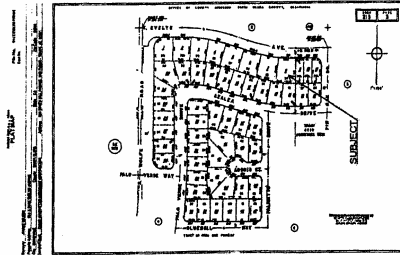
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OWNER: JUANITA B. GARCIA
PREPARED BY: JUANITA B. GARCIA
DATE: 10/20/2011
SCALE: 1"=10'

APPROVED BY: JUANITA B. GARCIA
DATE: 10/20/2011
SCALE: 1"=10'



EXISTING TOPOGRAPHIC PLAN
AND UTILITY PLAN
② SCALE: 1"=10'



PLAT MAP
① SCALE: N.T.S.

